

**Upper Cumberland
Local Workforce Development Board
POLICIES AND PROCEDURES**

Title: PRIORITY OF SERVICE FOR ADULTS, VETERANS, AND ELIGIBLE SPOUSES
Date of Adoption: September 25, 2018 (*Adult Priority of Services and Veterans and Eligible Spouse Priority of Service* as two separate policies)
Date of Revision: December 12, 2023

PURPOSE: To establish the Upper Cumberland Local Workforce Development Board’s (UCLWDB) requirements for providing priority of service to all covered persons and identified populations. This policy will differentiate the requirements based on a participant’s “point of entry” and their enrollment into a program to receive employment and/or training services.

POLICY:

Section I. Priority of Service Defined

"Priority of service" means the right to take precedence over a person with lower priority in obtaining employment and training services. WIOA implements priority of service to recipients of public assistance, low-income individuals, and those who are basic skills deficient. These priorities are in addition to the requirements that veterans and their eligible spouses receive priority of service.

A. Priority Populations Defined

1. **Veteran:** A veteran is a person who has served at least one (1) day of active duty in the military, naval, or air service, and who was discharged or released from such service with other than a dishonorable discharge.
2. **Eligible Spouse:** An eligible spouse must meet one (1) of the following qualifications:
 - A spouse of any veteran who died of a service-connected disability;
 - A spouse of any member of the Armed Forces serving on active duty who, at the time of application for the priority, is listed in one or more of the following categories and has been so listed for a total of more than ninety (90) days:

- Missing in action
- Captured in the line of duty by a hostile force, or
- Forcibly detained or interned in the line of duty by a foreign government or power;
- A spouse of a veteran who has a total disability resulting from a service-connected disability, as evaluated by the department of Veteran Affairs; or
- A spouse of any veteran who died while a disability was in existence.

A spouse will lose eligibility if it is derived from a living veteran, or a service member, who loses their status which made them eligible. Such a situation would be: if a veteran, with a total service-connected disability, were to receive a revised-disability rating at a lower level.

Similarly, a spouse, whose eligibility is derived from a living veteran or service member, would lose that eligibility upon a divorce from that veteran or service member.

The spouse of a veteran who died as the result of a service-connected disability, or died while a disability was in existence, would not lose covered status through subsequent remarriage.

3. **Low-Income Individual (LII):** A low-income individual is defined as a person who meets any of the following criteria and will satisfy the low-income requirement for WIOA Title I Adult services:

Recipient of Public Assistance:

Individuals who receive, or in the past six (6) months have received, or are a member of a family that is receiving or in the past six (6) months has received, assistance through one (1) or more of the following:

- Supplemental Nutrition Assistance Program (SNAP);
- Temporary Assistance for Needy Families (TANF) program;
- Supplemental Security Income (SSI) program; or
- State or local income-based public assistance.

Low-Income Includes:

- Recipients of public assistance (defined above);
- Individuals in a family with total income below the higher of the federal poverty line or seventy percent (70%) of the lower living standard income level (see [WIOA Relevant Income Levels](#));
- Homeless individuals (as defined by the Violence Against Women Act) or a homeless child or youth (as defined by the McKinney-Vento Homeless Assistance Act);
- Receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act;
- Foster youth on behalf of whom State or local government payments are made; or
- Individuals with disabilities whose own income is below the higher of the federal poverty line or seventy percent (70%) of the lower living standard income level, but who is a member of a family whose income does not meet this requirement.

A youth eighteen (18) or older, who was determined to be a low-income individual eligible for the WIOA Title I Youth program, may be co-enrolled in the WIOA Title I Adult program without an additional determination of eligibility. They may be counted as an individual who meets adult priority of service if the original determination was made no more than six (6) months prior to the date of co-enrollment.

Under WIOA, an individual with a disability, whose family does not meet income eligibility criteria, will qualify for priority as a low-income adult.

4. **Basic Skills Deficient:** WIOA defines basic skills deficient as "an individual who is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual's family, or in society." It is expected that any such basic skills deficiencies will be determined by an objective, valid, and reliable assessment such as the Comprehensive Adult Student Assessment Systems (CASAS) or Tests of Adult Basic Education (TABE).

UCLWDB has defined basic skills deficient as an individual who has English reading, writing, or computing skills at or below the 8th grade level on a generally accepted standardized test (CASAS or TABE). If priority of service is based on basic skills deficient criteria then the participant's file must contain academic tests (including the participant's name, date of test, and results).

5. **Underemployed:** Individuals are employed full or part-time and must also meet the definition of a low-income individual in order to be eligible for the adult priority.
6. **Covered Person:** An individual who meets the above definition of veteran or eligible spouse.

Section II. "Point of Entry" Priority of Service

Any covered person who is seeking WIOA services must be provided priority of service at their "point of entry" into the workforce system. The "point of entry" includes physical locations, such as AJCs, as well as websites and other virtual service delivery resources. The One-Stop Operator will be responsible for assuring that the AJC staff are aware of, promote, and comply with the Priority of Service policy.

Any individual self-identifying as a covered person should be provided immediate priority in the delivery of employment and training services. At the point of entry, each AJC customer is greeted and provided with an evaluation of service need by the AJC staff serving in the Welcome Function. AJC staff will inform covered persons that by identifying as a veteran or an eligible spouse, they are entitled to Priority of Service. In addition, staff must inform covered persons of the full array of employment training and placement services available, as well as the applicable eligibility requirements for programs and services.

The UCLWDB has several stop gaps in place to identify Veterans within the AJCs. Upon entry, customers see a sign at the visitor kiosk informing Veterans of their priority of service. This information is also located within the kiosk itself. Additionally, the Common Intake (that all customers complete) asks potential Veterans to identify themselves. Any customer who signifies that they are in fact a veteran, or eligible

spouse of a Veteran, is given the **Veteran Eligibility Triage Form (Attachment A)** to complete while at the point of entry and then given priority of service.

AJC staff must distinguish between the identification of a veteran for priority of services and the verification of a veteran's status or the verification of an eligible spouse. If an individual self-identifies as a veteran, or eligible spouse, at the AJC, that individual should be provided with immediate priority in the delivery of employment services. When a veteran or eligible spouse undergoes eligibility determination for enrollment it is then appropriate to initiate verification of veteran status.

Section III. Employment and Training Priority of Service

The priority of service for veterans and eligible spouses always applies across all qualified employment and training programs. The priority of service for public assistance recipients, other low-income individuals, and individuals who are basic skills deficient is a statutory priority that applies only to the recipient of individualized career and training services in the WIOA Title I Adult program.

A. How to Apply Priority of Service:

Basic career services will be made available to all job seekers providing priority of service to eligible Veterans and Spouses. Priority for receipt of individualized career services and training services is determined during enrollment and will be given to adult customers in the following order, regardless of funding levels:

Priority 1 – Veterans and eligible spouses who are recipients of public assistance, low-income individuals, or individuals who are basic skills deficient receive first priority for services.

Priority 2 – Individuals (not veterans or eligible spouses) who are recipients of public assistance, low-income individuals, and individuals who are basic skills deficient (including English language learners) and Title I Adult program eligibility.

Priority 3 – Veterans and eligible spouses who meet Title I Adult program eligibility.

Priority 4 – Other individuals (not veterans or eligible spouses) who do not meet the statutory priority (such as public assistance recipients, other low-income individuals including underemployed, or those who are basic skills deficient), but do meet discretionary criteria established by the UCLWDB, and Title I Adult program eligibility.

In accordance with WIOA Section 2, the purpose of the WIOA is to increase, particularly for individuals with barriers to employment, access to and opportunities for the employment education, training, and supportive services they need to success in the labor market. Furthermore, per TN Department of Labor and Workforce Development (TDLWD) Workforce Services Guidance – WIOA Memorandum of Understanding (MOU) / One-Stop Service Delivery and Infrastructure Funding Agreement (IFA), the following demographics experiencing barriers to employment are specifically targeted for services and must be provided priority for training activities as Priority 4:

- Individuals with significant barriers to employment
- Displaced homemakers
- Eligible migrant and seasonal farmworkers
- Justice-Involved Individuals
- Homeless individuals
- Individuals facing substantial cultural barriers
- Individuals with disabilities, including youth with disabilities
- Individuals within two years of exhausting lifetime eligibility under Part A of the Social Security Act
- Individuals who are English language learners
- Individuals who are unemployed, including the long-term unemployed
- Individuals who have low levels of literacy
- Individuals without a high school diploma
- Native Americans, Alaskan Natives, and Native Hawaiians
- Older individuals
- Single parents (including single pregnant women and non-custodial parents)
- Veterans
- Youth who are in, or have aged out of, the foster care system

To be served under Priority 4, individuals must supply the following documentation as appropriate:

| Barrier | Required Documentation |
|---|--|
| Displaced Homemakers | Documentation of living in the same household as a spouse or parent/guardian who had income supporting the applicant and providing unpaid services; Documentation of loss of income; and Documentation of being unemployed or underemployed and experiencing difficulty in obtaining or upgrading employment. |
| Native Americans, Alaskan Natives, and Native Hawaiians | Self-Attestation on Application |
| Individuals with disabilities, including youth with disabilities | Documentation of the disability such as a written statement from Vocational Rehabilitation reflecting current services, verification showing current receipt of SSI or SSD for the individual from the Social Security Administration, or a letter from a local education entity stating the individual is M-Teamed based on a disability. |
| Older individuals (an individual age 55 or older) | Usual documentation requirements for Date of Birth (i.e. Driver's License, Birth Certificate, etc.) |
| Justice-Involved Individuals | Self-Attestation on Application |
| Homeless individuals (as defined by the Violence Against Women Act of 1994), or homeless children and youths (as defined by the McKinney-Vento Homeless Assistance Act) | Self-Attestation on Application |

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| Youth who are in or have aged out of the foster care system | Documentation of foster care status from the appropriate foster care agency |
| Eligible migrant and seasonal farmworkers | Documentation of eligibility from TOPS |
| Individuals within 2 years of exhausting lifetime eligibility under part A of the Social Security Act | Agency (i.e. DHS) documentation |
| Single parents (including single pregnant women and non-custodial parents) | Documentation of parenting (i.e. birth certificate) for single parents; Self-Attestation on Application and/or documented in case notes for single pregnant women; and Indication of single status on the Application, including only one parent being listed in the household |
| Long-term unemployed individuals (Individuals who are unemployed for 27 or more weeks per WIOA Application found in the Virtual One Stop system as provided by TNDOL) | Self-Attestation on the Application; and Documentation of means of support |
| Individuals facing substantial cultural barriers | Self-Attestation on Application and/or documented in case notes |
| Individuals who are English language learners, and individuals who have low levels of literacy | Objective, valid, and reliable assessment such as the Comprehensive Adult Student Assessment Systems (CASAS) or Tests of Adult Basic Education (TABE) |
| Individuals without a high school diploma | Self-Attestation on Application and/or documented in case notes |

Priority 5 – Persons outside the groups given priority under WIOA but do meet Title I Adult program eligibility.

INSTRUCTIONS:

- The above priority requirements do not necessarily mean that only the recipients of public assistance and other low-income individuals can receive WIOA Adult funded career and training services.
- Priority of service is determined during eligibility and enrollment.
- Priority of service does not guarantee that by virtue of status an individual will always receive service. The individual must be eligible and able to benefit from the services.
- Once a participant is enrolled in a WIOA individualized career service or training service, that participant may not be displaced by an individual who qualifies for priority of service.
- If the priority of service is based on basic skills deficient criteria, the participant’s file must contain academic tests which include the participant’s name, date of test, and results.
- An individual with a disability whose family does not meet income eligibility criteria will qualify for priority as a low-income adult.
- Underemployed individuals, who are employed full or part-time, must also meet the definition of a low-income individual to be eligible for the adult priority.
- Adult participants shall be determined by the program operator as in need of and able to benefit from services.

B. Percentage of Priority Populations Served

The UCLWDB expects that seventy-five percent (75%) of individuals enrolled in the Title I Adult program be a recipient of public assistance, low-income, or basic skills deficient as identified in the above section as priority of service level one (1) and two (2). A priority group that is identified by the Governor of Tennessee or by the UCLWDB will not count towards the 75%. Documentation of the participant's eligibility as a priority participant, such as public assistance records, income information, or academic assessments, must be maintained in the participant's file. The UCLWDB will strive for this goal; however, at the direction of the TDLWD, will not deny services to other eligible priority groups.

For questions regarding this policy, contact Becky Hull, Executive Director, Upper Cumberland Local Workforce Development Board at bhull@ucworkforce.org

Attachments: Attachment A: Veteran Eligibility Triage Form

Effective Date: December 12, 2023

Policy Duration: Indefinite



Board Chairperson, UCLWDB

SECTION A

Have you or your spouse ever served in the United States Military? Yes No

Name City/State where residing Cell/Home Phone

Email Address Dates Served: from to ; from to

What was your Character of Service at discharge? Honorable Dishonorable Other _____

What brings you into an American Job Center today?

Employment Unemployment Shelter Training Benefits (State, VA) Attended OBTT workshop

SECTION B

Are you an eligible Veteran who served between the years 1955-1975 and meets one of the following:

- I served in the Republic of Vietnam between 11/1/1955 and 5/7/1975
 I served (regardless of location) between 8/5/1964 and 5/7/1975

Are you an eligible Veteran aged 18 to 24? Yes No

Are you a Transitioning Service Member who attended a Transition Assistance Program (TAP) workshop and:

- Are between the ages of 18-24 years old?
 An active duty service member being involuntarily separated through a service reduction-in-force?
 Do not meet career readiness standards (CRS)?

Are you a wounded, ill, or injured Service Member, receiving care at a Warrior Transition Unit (WTU) or Military Treatment Facility (MTF)? Yes No

Are you a caregiver for a wounded, ill, or injured Service Member, receiving care at a WTU or MTF? Yes No

If you checked any of the boxes or answered "yes" to any of the questions in this section, you may be referred for additional services if desired. If you did not answer "yes" or did not check a box to any of the questions above, please proceed to Section C.

SECTION C

Are you a Veteran who (check all that apply):

- Served on active duty for a period of **more** than 180 consecutive days? (This includes Title 10 orders.)
 Was discharged or released from active duty because of a service-connected disability?
 Served in support of a conflict or campaign?
 Was released from service under a Sole Survivorship discharge?

Are you a Spouse of a Veteran who:

- Died of a service-connected disability, or while a disability was being evaluated?
 Has been classified as a missing, captured, or detained Service Member?
 Is 100% Total and Permanent Disabled?

If you checked any of the boxes in this section, please proceed to Section D and mark all applicable options.

SECTION D

Are you an eligible Veteran or eligible Spouse (check all that apply):

- Receiving VA disability compensation or have a claim pending to receive compensation?
 Who is Homeless/At Risk – or lacks fixed, regular nighttime residence or fleeing a violent situation?
 Recently-separated service member unemployed for 27 or more weeks in the previous 12 months?
 Who is incarcerated or has ever been incarcerated?
 Who lacks a High School Diploma or equivalent certificate?
 Who is low income, receiving public assistance, housing, food, TANF, or other programs?

If you checked any of the boxes in this section, you may be referred for additional services if desired.

Customer Participant Statement

By signing or initialing below, customer has self-attested and acknowledges their status as listed in the sections above.

Customer Signature/Initials

Date:

Do Not Write – Staff Use Only

Referred to (Vet Staff Name)

Referred by (Your Name):

Date: